



The Solution Economy: Getting Everybody into the Act

By Ingo Keilitz¹

Book Review: William D. Eggers and Paul Macmillan. *The Solution Revolution: How Business, Government, and Social Enterprises Are Teaming Up to Solve Society's Toughest Problems.* (Boston, MA: Harvard Business Review Press, 2013) 292 pages.

In their book, *The Solution Revolution*, William D. Eggers and Paul Macmillan, remind us that when it comes to solving big social problems like unequal access to justice, corruption, lack of transparency and accountability, and loss of confidence and trust in our justice institutions, government is not the sole agent of change. We are witnessing, they write, a shift from a government-dominated model of problem solving to one in which government is just one of the players among many. Today there are non-governmental actors—citizen volunteers, social entrepreneurs, foundations, nonprofits, civil society organizations, and private businesses, both big and small, armed with new technologies and powerful collaborative tools — who collaborate with governments in finding solutions to serious social problems, thus blurring traditional divides between government, business, and philanthropic responsibilities.

Messrs. Eggers and Macmillan, senior figures at Deloitte, argue that in today's climate of fiscal constraint, we cannot expect government alone to tackle entrenched social problems. By moving away from the traditional, unilateral top-down model for delivering services, governments in a "solution economy" act as enablers and integrators, focusing on desired social outcomes that everyone understands and values, thus opening heretofore closed doors to many new problem solvers. Trading in the non-traditional "currency" of performance data and societal outcome measures for specific solutions, justice institutions effectively move the important work they do beyond their own walls. This solution economy takes problem solving out of the hands of only government insiders, judges, prosecutors, defense attorneys, ministers of justice, and justice system executives and managers, as well as government contractors working on their behalf.

I recently learned about Al Varney, a community leader in Monrovia, Liberia, who is among the social entrepreneurs around the world helping to create a solution economy in the courts. With his recently- started project, a court monitoring system called the Open Justice Initiative, Varney is applying creative tools for social accountability, supported by training, design support, mentorship, and seed funding from Accountability Lab, an independent nonprofit organization.

Twice a week, volunteers monitor four magistrate courts in Monrovia and generate a justice "scorecard" that includes measures of the number of cases processed, whether the judge arrives on time, whether bond fees are returned to defendants, and whether a bulletin of cases is made public. The first comprehensive scorecard will be published soon in local newspapers to generate debate and discussion with Ministry of Justice officials. While the Open Justice Initiative is still in its infancy, its courtroom monitors have found that their presence alone has reduced late arrival of judges, curbed open illegal transactions in court (such as bribery), and increased attendance among public prosecutors.

Varney wants his Open Justice Initiative to solve the problem of an unresponsive justice system that does not allow ready access to justice in his community. He felt that if people wanted to have good justice, it was up to the community to monitor it. His plan is not to engage in a "witch hunt" and work at cross-purposes with the courts, but rather to collaborate with them to create an effective justice system.

The Solution Revolution is a compendium of examples of the solution economy at work around the world: crowdsourcing, crowdfunding, ridesharing, development of software applications, low-cost health care, preventing obesity, and developing renewable energy. The examples are couched in a framework of concepts and theories including a useful taxonomy of novel strategies (e.g., citizen "wave-makers" who solve social problems, "public-value exchanges," and disruptive

¹ Ingo Keilitz is Principal of CourtMetrics; Research Professor, Thomas Jefferson Program in Public Policy, and Research Associate, Institute for the Theory and Practice of International Relations, and College of William and Mary.

technologies). Individual citizens, corporations, charities, social enterprise work together, blending market forces with entrepreneurship and altruism to tackle tough social problems. “This economy,” write Messrs. Eggers and Macmillan, “trades in social outcomes; its currencies include public data, reputation, and social impact The business models are unusual, and the motivations range from new notions of public accountability to moral obligation to shareholder value.”

Stemming perhaps from their traditional adherence to principles of judicial independence and separation of powers, many judiciaries throughout the world remain reluctant to bring other branches of government and other sectors of society into the act. They tend to go solo in their justice reform efforts. This might be changing and *The Solution Revolution* provides a useful template for that change.

When judiciaries and courts share responsibility and accountability for performance outcomes that address injustice on a broad scale—instead of focusing narrowly on internal operations using measures of resources, activities, and operations often not widely understood—they can help create an open economy for solutions. Collaborating with new actors outside of government like Al Varney, makes it possible for justice institutions to tackle entrenched problems of injustice with innovative approaches that would not be available to them if they acted alone. The common thread through a solution economy consists of shared values and mutual advantage. Performance outcome measures like the length of court proceedings and the level of court user satisfaction, become powerful collaborative tools, i.e., “currencies” in the solution economy.

Governments, justice systems, and individual justice institutions should ask themselves what “solvers” in the solution economy like Al Varney—citizen volunteers, social entrepreneurs, foundations, nonprofits, civil society organizations, and private businesses—share the values of justice and see mutual advantage in justice outcomes measured by specific performance measures. They can productively create opportunities for collaboration with these solvers.

If there is a weakness in *The Solution Revolution* it might be the authors’ rosy outlook on the promises of positive results, lower costs, and public innovation of a solution economy. What could possibly go wrong? Obstacles, traps, resistance to the solution economy -- what we euphemistically refer to as challenges – surely are not limited only to a narrow view of institutional independence among judiciaries that fails to encompass comity, collaboration, and shared responsibility with the other branches of government and, especially, other sectors of society. For example, challenges that confront most reform, especially in fragile and violence-ridden countries, include what social scientists call elite capture whereby traditional leaders, local politicians, and other socially powerful people take most of the available resources for themselves. But perhaps we do not need another reminder that significant change is always a tough slog; the literature of justice reform is replete with volumes that are up to the task.

I came away from reading *The Solution Economy* not only inspired but also armed with many ideas for putting that inspiration to practical use. Other readers are likely to be equally rewarded.

